IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTYFIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 6836 of 2005

Between:

1. Yerra Pullarao S/o.Veeraiah, age 45 yrs.
2. Yerra Prakasharao, S/o.Veeraiah, 40 yrs.

(Both are cultivators, R/o.Gandugulapalli [v],

Dammapet (M), Khammam District

..... PETITIONERS

AND

1. Additional Agent to the Government-cum-Project Officer, ITDA at Badrachalam, Khammam.
2. Special Deputy Collector (TW), Badrachalam, Khammam District.
3. Mandal Revenue Officer, Dammapet (M), Khammam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the first respondent in not passing any order on the stay petition and appeal filed by the petitioners against the order dated 20.01.2005 in Case No.135/2004/DPT passed by the second respondent is illegal, irregular and violative of APSALT Regulation 1 of 59 as amended by 1 of 70 and offends Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondents not to dispossess the petitioners from the land of Ac.4.20 gts in Sy.No.861 of Nagupalli village pursuant to said order and pending disposal of the appeal before the first respondent.

Counsel for the Petitioner:MR.SATYANARAYANA NIMMAGADDA

Counsel for the Respondent Nos.1 to 3: GP FOR SOCIAL WELFARE

The Court at the admission stage made the following O R D E R:

This writ petition is filed seeking to declare the action of the first respondent in not passing any orders on the stay petition and appeal filed by the petitioner against the order passed by the second respondent in Case No.135 of 2004/DPT, dated 20.01.2005, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

The grievance of the petitioner is that the first respondent has not passed any orders on the appeal as well as on the stay petition preferred by him. Therefore, without entering into the merits of the case, the writ petition can be disposed of directing the first respondent to dispose of the appeal itself within a period of two months from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No order as to costs.

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(K.C.BHANU,J)

Dt:31st March, 2005

Note:Furnish copy by today

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To

1. The Additional Agent to the Government-cum-Project Officer, ITDA at Badrachalam, Khammam.
2. The Special Deputy Collector (TW), Badrachalam, Khammam District.
3. The Mandal Revenue Officer, Dammapet (M), Khammam District.
4. Two CCs to G.P. for Social Welfare, High Court of A.P., Hyderabad (OUT).
5. Two CD copies